

E-filing

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Attorneys for Defendants Safeway Inc.  
and Robert Munz.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO DIVISION

KELLY L. LETCH,

Plaintiff,

v.

SAFEWAY STORES, INC., ROBERT MUNZ  
and Does 1 to 30,

Defendants.

Case No. C-05-01781 MMC

STIPULATION TO CONTINUE  
DEFENDANTS' MOTION TO DISMISS:  
ORDER

Trial Date: None Set

Pursuant to Local Rule 7-7 and the Court's April 20, 2005 Standing Order, Plaintiff KELLY L. LETCH and Defendants SAFEWAY INC. ("Safeway") and ROBERT MUNZ, through their counsel of record, hereby stipulate as follows:

1. Whereas on February 7, 2005 in the Superior Court of the State of California, in and for the County of Contra Costa, Plaintiff, in pro se, filed her "Complaint - Personal Injury, Property Damage, Wrongful Death" against Defendants.

2. Whereas on April 29, 2005, Defendants removed this matter to this Court pursuant to U.S.C. Sections 1441(h) and 1446;

1           2.       Whereas on May 2, 2005, Defendants filed a Motion to Dismiss and noticed the hearing  
2 on their motion to take place on June 10, 2005;

3           3.       Whereas Plaintiff only recently retained her current counsel, has continued this matter  
4 only once previously, counsel has experienced the recent loss of a family member and the parties are  
5 interested in pursuing settlement discussions prior to the time that either party incurring any additional  
6 fees and costs;

7           IT IS HEREBY STIPULATED by and between the parties that the hearing on Defendants'  
8 Motion to Dismiss be continued from its currently scheduled hearing date of September 2, 2005 at 9:00  
9 a.m. to September 16, 2005 at 9:00 a.m. Good cause exists for such an extension as Plaintiff's counsel  
10 has only recently been retained, counsel has experienced the recent loss of a family member and the  
11 parties are continuing in efforts to try to resolve the matter prior to either side having to incur  
12 additional fees and costs addressed towards responding to or pursuing Defendants Motion to Dismiss.  
13 The requested continuance will not otherwise affect any dates set by the Court.

14 Dated: August 11, 2005

LAW OFFICES OF TRUDY L. MARTIN

16 By:   
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TRUDY L. MARTIN

Attorneys for Plaintiff Kelly Letch

18 Dated: August 11, 2005

DILLINGHAM & MURPHY, LLP

20 By:   
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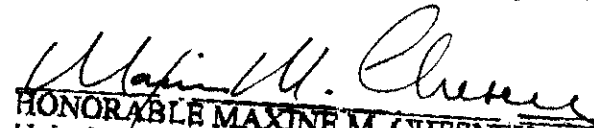
MARK J. ROGERS

Attorneys for Defendants Safeway Inc. and Robert  
Munz

ORDER

Pursuant to the parties' stipulation and good cause appearing therefore, Defendants' Motion to dismiss, currently scheduled to be heard on September 2, 2005 at 9:00 a.m., is continued to September 16, 2005 at 9:00 a.m. Opposition and replies briefs shall be calculated from the new hearing date.

DATED: AUG 15 2005

  
HONORABLE MAXINE M. CHESNEY  
United States District Court Judge

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